EDUCAUSE and ACUTA Comments to the FCC In the Matter of Inquiry Regarding Carrier Current System, including Broadband over Power Line Systems (ET Docket No. 03-104)

EDUCAUSE is a non-profit higher education association whose mission is to advance higher education by promoting the intelligent use of information technology. With over 1800 higher education and 200 corporate members, we represent higher education's thought leadership on networking.

ACUTA: The Association for Communications Technology Professionals in Higher Education is a non-profit association whose members include over 870 colleges and universities throughout the United States, Canada and other countries. ACUTA members include both large and small non-profit institutions of higher education, ranging from colleges with several hundred students to major research and teaching institutions with 25,000 students or more. ACUTA member representatives are responsible for managing communications technology services on college and university campuses.

We appreciate the opportunity to submit comments to the Commission on potential benefits Broadband over Power Line (BPL) technology can have in providing much-needed high-speed data services to rural and underserved communities.

We respectfully ask the Commission consider the following points when studying BPL or any other nascent broadband technology:

- Any new technology studied by the Commission should have the capacity to meet the ever-growing demand for higher-speeds by consumers, educators, and researchers. The current FCC definition of high-speed lines as those that provide services exceeding 200 kilobits per second (Kbps) in at least one direction, while advanced service lines are those that provide services at speeds exceeding 200 kbps in both directions is unsatisfactory. We recommend the Commission change the current definition of high-speed lines to at least 100 megabits per second (Mbps) in both directions, and should consider updating this definition according to the developments and rollout of newer, high-speed technologies, recognizing that it may take more time to ensure some rural and otherwise underserved areas have access to this standard. When considering future definitions of broadband and adjusting federal regulations, we ask that the Commission look beyond the technical definitions of "speed" or "broadband power" and envision what will be the ubiquitous applications that will rely on such capacity.
- Adopt a policy of regulatory "neutrality" for new technologies such as BPL that limits or eliminates unproductive debate such as that currently involves Digital Subscriber Line (DSL) and Cable Modem technologies.
- Consider how BPL can provide another layer of broadband service and a type of broadband service provider that promotes the use of higher speed services and helps to drive down the costs of this service in the broad context of meeting the telecommunications needs of all Americans. The Commission should devote careful

scrutiny to how it can promote a broad diversity of broadband suppliers and services, encouraging innovative means of providing affordable broadband to different segments, regardless of economic or geographic hurdles.

- Establish and provide incentives to create regulatory free "testing zones" to study the viability and potential interference issues of BPL, particularly in rural and underserved communities.
- Collaborate with private and public partners where desirable. The Commission cannot solely, and should not be expected to regulate an acceleration of broadband services in this country. State and local communities should be encouraged to work with the federal government, private sector and non-profit organizations to create a market and to test new broadband services such as BPL.
- There are a wide variety of local, state and regional broadband initiatives and proposals, combining wire line and wireless services, with the goal of providing for the future bandwidth needs of all their citizens. We ask that the Commission pay careful attention to the strength in promoting such a diverse array of broadband technologies and strategies and how such programs may be emulated nationwide. Two examples are California's "One Gigabit or Bust Initiative by 2010" (http://www.cenic.org/NGI/Gartner/index.htm), coordinated by the Corporation for Education Network Initiatives in California (CENIC) and Virginia's "e-corridors" project (http://www.ecorridors.vt.edu/) led by Virginia Tech University.

EDUCAUSE and ACUTA understand that the Commission is in the early stages of studying the viability of BPL technology, and we appreciate this opportunity to provide comments. We look forward to submitting more comments as these proceedings progress.